IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 4830 of 2005

Between:

Puruchuri Basveshwar Rao S/o. Late Raghavaiah
R/o. 7th Lane, Gunturivari Thota, Guntur District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Secretary,

Industries & Commerce Department, Secretariat Buildings,

Hyderabad.
2 The District Level Committee, Rep. by its Chairman, Guntur

District, Guntur.
3 The District Collector, Guntur.
4 The District Panchayat Officer, Guntur District, Guntur.
5 River Conservator (Executive Engineer) Krishna Central Division,

Vijayawada.
6 A.P. State Under Water Land Trees, Authority, Rep. by its

Member Secretary.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of writ of Mandamus declaring the action of the respondents in not denotifying the sand reaches of Reach No.13, Amaravathi and Dharanikota Revenue Villages in pursuance to the report of the Ground Water Department in Lr.No. 772/Hg/2004, dt. 22-2-2005 under Rule 9(v) of A.P. Minor Mineral Concession Rules, 1966 & A.P. WALTA Act, 2002 and proceeding to issue temporary permits in the area as arbitrary, illegal, unjust and contrary to the rules and pass such other order or orders as may deem fit and proper in the

circumstances of the case.

Counsel for the Petitioner:SMT.N.SHOBA

Counsel for the Respondents: GP FOR INDUSTRIES & COMMERCE and GP FOR PANCHAYAT RAJ&RURAL DEVELOPMENT

The Court at the stage of admission made the following :

<u>O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):</u>

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The petitioner has aggrieved by the notice dated 06-02-2005 issued for auction of sand. In the counter-affidavit, it is stated that nobody came forward as a result of the notice for public auction. In the meantime, the District Level Committee has taken a decision that a resurvey be conducted in the concerned reach being reach No.13 and till the report of resurvey is furnished and considered, there will not be any auction.

In this view of the matter, no orders are necessary to be passed in the writ petition, which is accordingly disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

15th June, 2005

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(G.Chandraiah,J)

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To

1 The Secretary, Government of Andhra Pradesh, Industries &

Commerce Department, Secretariat Buildings, Hyderabad.
2 The Chairman, District Level Committee, Guntur District,

Guntur.
3 The District Collector, Guntur.
4 The District Panchayat Officer, Guntur District, Guntur.
5 The River Conservator (Executive Engineer) Krishna Central

Division, Vijayawada.
6 The Member Secretary, A.P. State Under Water Land Trees,

Authority, Hyderabad.

7 Two C.Cs to the G.P.for Industries and Commerce, High Court

Buildings, A.P., Hyderabad (OUT)

8 Two C.Cs to the G.P. for Panchayat Raj & Rural Development,

High Court Buildings, A.P., Hyderabad (OUT)

9 Two C.D copies.